

CARLOS M. LAZATIN (S.B. #229650)
clazatin@omm.com
WILLIAM K. PAO (S.B. #252637)
wpao@omm.com
JASON A. ORR (S.B. #301764)
jorr@omm.com
O'MELVENY & MYERS LLP
400 South Hope Street
18th Floor
Los Angeles, California 90071-2899
Telephone: +1 213 430 6000
Facsimile: +1 213 430 6407

Attorneys for Defendant
Bitmain Technologies, Ltd.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOR GEVORKYAN, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

BITMAIN, INC., BITMAIN
TECHNOLOGIES, LTD., and DOES 1 to 10,

Defendants,

Case No. 3:18-cv-07004-JD

**JOINT STIPULATION EXTENDING
TIME FOR JURISDICTIONAL
DISCOVERY AND [PROPOSED]
ORDER**

Complaint Filed: November 19, 2018
Trial Date: None Set

Plaintiff Gor Gevorkian ("Plaintiff") and Defendant Bitmain Technologies, Ltd.
("Defendant") (together with Plaintiff, the "Parties"), hereby stipulate and agree as follows:

WHEREAS, on December 19, 2019, the Court granted leave for the Plaintiff to conduct
jurisdictional discovery on Defendant for a period of 120 days (ECF No. 44);

WHEREAS, on January 6, 2019, Plaintiff noticed the deposition of Luyao Liu, a citizen
and resident of the People's Republic of China, for March 3, 2020;

1 **WHEREAS**, the earliest Luyao Liu was available for deposition was April 2, 2020, and
2 the Parties tentatively scheduled to hold the deposition on that date;

3 **WHEREAS**, the Parties agreed to continue the April 2, 2020 deposition of Mr. Liu due to
4 travel restrictions between the United States and China, and out of concern for the health of all
5 involved, related to the COVID-19 pandemic;

6 **WHEREAS**, on February 24, 2020, March 13, 2020, and March 16, 2020¹ (ECF Nos. 47,
7 49, and 50), the Parties filed letter briefs requesting that the Court resolve a disputed issue of law
8 with respect to the scope of jurisdictional discovery to which the Parties believe they are entitled;

9 **WHEREAS**, the Court has not yet ruled on the Parties' letter briefs;

10 **WHEREAS**, on March 19, 2020, California Governor Gavin Newsom issued a "stay at
11 home" order ("Stay-at-Home Order") in response to the COVID-19 pandemic, which required all
12 Californians to "stay at home or at their place of residence except as needed to maintain
13 continuity of operations of the federal critical infrastructure sectors";

14 **WHEREAS**, the Parties and their counsel have found it difficult, and at times impossible,
15 to conduct jurisdictional discovery while complying with the Stay-at-Home Order and similar
16 restrictions in China;

17 **WHEREAS**, the period for jurisdictional discovery set by the Court expires on April 17,
18 2020;

19 **WHEREAS**, the Parties anticipate the Stay-at-Home Order will continue past the
20 expiration of that jurisdictional discovery period;

21 **WHEREAS**, Plaintiff has been unable to conduct jurisdictional discovery for at least
22 approximately 30 days of the 120 days that the Court provided;

23 **NOW, THEREFORE**, the undersigned Parties hereby stipulate and agree, subject to
24 Court approval, that discovery is stayed in this case pending the lifting of the Stay-at-Home
25 Order. In the interim, the Parties may continue to meet and confer via email and phone on issues
26 related to the discovery conducted as of the date of this stipulation, so that the Parties will be

27 _____
28 ¹ On March 16, 2020, Defendant filed a request to submit a reply to Plaintiff's letter brief,
attaching the proposed reply letter brief.

1 positioned to move forward expeditiously when the Stay-at-Home Order ends. Unless otherwise
 2 stipulated or ordered, Plaintiff will have 30 days from the expiration of the Stay-at-Home Order
 3 to complete written discovery pursuant to the Court's December 19, 2019 order. Plaintiff will
 4 have 60 days from the expiration of the Stay-at-Home Order to depose Luyao Liu. Nothing in this
 5 stipulation shall constitute any waiver of the Parties' rights or preclude the Parties from seeking
 6 further extensions or objecting to further extensions as necessary.

7 **IT IS SO STIPULATED.**

8
 9 Dated: April 15, 2020

/s/ Ari Y. Basser

10 Robert Starr
 11 Adam Rose
 12 Karo Karapetyan
 13 FRONTIER LAW CENTER
 14 23901 Calabasas Rd, Suite 2074
 15 Calabasas, CA 91302
 16 Telephone: (818) 914-3433
 17 Facsimile: (818) 914-3433
 18 E-Mail: robert@frontierlawcenter.com
 19 E-Mail: adam@frontierlawcenter.com
 20 E-Mail: karo@frontierlawcenter.com

21 Jordan L. Lurie
 22 Ari Y. Basser
 23 POMERANTZ LLP
 24 1100 Glendon Avenue
 25 15th Floor
 26 Los Angeles, CA 90024
 27 Telephone: 310-405-7190
 28 Facsimile: 917-463-1044
 Email: jllurie@pomlaw.com

Christopher Marlborough
 THE MARLBOROUGH LAW FIRM, P.C.
 445 Broad Hollow Road, Suite 400
 Melville, NY 11747
 Telephone: (212) 991-8960
 Facsimile: (212) 991-8952
 E-Mail: chris@marlboroughlawfirm.com

Counsel for Plaintiff

Dated: April 15, 2020

/s/ Carlos M. Lazatin

Carlos M. Lazatin
William K. Pao
Jason A. Orr
O'MELVENY & MYERS LLP
400 South Hope Street
18th Floor
Los Angeles, CA 90071
Telephone: (213) 430-6000
Facsimile: (213) 430-6407
Email: clazatin@omm.com
Email: wpao@omm.com
Email: jorr@omm.com

*Counsel for Defendant Bitmain Technologies,
Ltd.*

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that the concurrence in the filing of this document has been obtained from all signatories above.

Dated: April 15, 2020

Respectfully submitted,

O'MELVENY & MYERS LLP

By: /s/ Carlos M. Lazatin

Attorneys for Defendant
Bitmain Technologies, Ltd.

[PROPOSED] ORDER

The Court, having considered the Joint Stipulation submitted by the Parties, and good cause appearing:

1. Discovery is stayed in this case pending the lifting of the Stay-at-Home Order issued by Governor Newsom on March 19, 2020.

2. Plaintiff shall have 30 days from the expiration of the Stay-at-Home Order to complete written discovery pursuant to the Court's December 19, 2019 order.

3. Plaintiff will have 60 days from the expiration of the Stay-at-Home Order to depose Luyao Liu.

4. This Order is without prejudice to the Parties seeking additional extensions as needed in light of the changing circumstances of the global COVID-19 pandemic.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____

Hon. James Donato
UNITED STATES DISTRICT JUDGE